



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Applicant: Michael J. O'Phelan et al.

Title: IMPLANTABLE HEART MONITORS HAVING FLAT CAPACITORS WITH CURVED PROFILES

Docket No.: 279.171US3

Serial No.: 10/729,424

Filed: December 5, 2003

Due Date: N/A

Examiner: Eric Thomas

Group Art Unit: 2831

Mail Stop Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

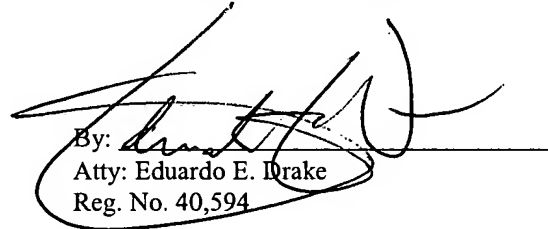
We are transmitting herewith the following attached items (as indicated with an "X"):

- ☒ A return postcard.
- ☒ A Communication Concerning Related Applications (2 pgs.).
- ☒ An Information Disclosure Statement (2 pgs.), Form 1449 (6 pgs.), and copies of 15 cited documents.

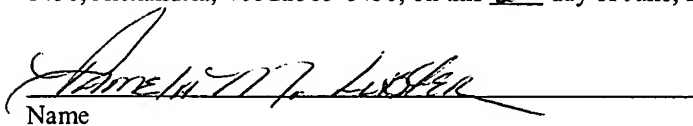
If not provided for in a separate paper filed herewith, Please consider this a **PETITION FOR EXTENSION OF TIME** for sufficient number of months to enter these papers and please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

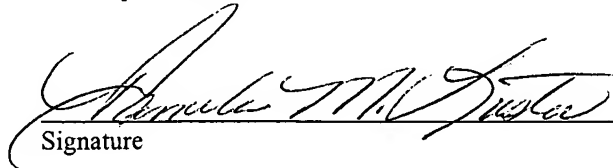
SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.

Customer Number 21186

By: 
Atty: Eduardo E. Drake
Reg. No. 40,594

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Name


Signature

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.

(GENERAL)

S/N 10/729,424



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | | |
|-------------|--|-----------------|-------------|
| Applicant: | Michael J. O'Phelan et al. | Examiner: | Eric Thomas |
| Serial No.: | 10/729,424 | Group Art Unit: | 2831 |
| Filed: | December 05, 2003 | Docket: | 279.171US3 |
| Title: | IMPLANTABLE HEART MONITORS HAVING FLAT CAPACITORS WITH CURVED PROFILES | | |

INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

In compliance with the duty imposed by 37 C.F.R. § 1.56, and in accordance with 37 C.F.R. §§ 1.97 *et. seq.*, the enclosed materials are brought to the attention of the Examiner for consideration in connection with the above-identified patent application. Applicants respectfully request that this Information Disclosure Statement be entered and the documents listed on the attached Form 1449 be considered by the Examiner and made of record. Pursuant to the provisions of MPEP 609, Applicants request that a copy of the 1449 form, initialed as being considered by the Examiner, be returned to the Applicants with the next official communication.

Pursuant to 37 C.F.R. §1.97(b), it is believed that no fee or statement is required with the Information Disclosure Statement. However, if an Office Action on the merits has been mailed, the Commissioner is hereby authorized to charge the required fees to Deposit Account No. 19-0743 in order to have this Information Disclosure Statement considered.

Pursuant to 37 C.F.R. §1.98(d), copies of the listed documents are not provided as these references were previously cited by or submitted to the U.S. Patent Office in connection with Applicants' prior U.S. application, Serial No. 10/287,285, filed on November 04, 2002, which is relied upon for an earlier filing date under 35 U.S.C. §120.

INFORMATION DISCLOSURE STATEMENT

Serial No :10/729,424

Filing Date: December 05, 2003

Title: IMPLANTABLE HEART MONITORS HAVING FLAT CAPACITORS WITH CURVED PROFILES

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The Examiner is invited to contact the Applicants' Representative at the below-listed telephone number if there are any questions regarding this communication.

The present application is either a U.S. national patent application filed after June 30, 2003 or an international application that entered the national stage under 35 U.S.C. § 371 after June 30, 2003. Thus, Applicant believes that the U.S. Patent & Trademark Office has waived the requirement under 37 C.F.R. 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication. The waiver is provided in a pre-OG notice from the U.S. Patent & Trademark Office entitled "Information Disclosure Statements May Be Filed Without Copies of U.S. Patents and Published Applications in Patent Applications filed after June 30, 2003" and dated July 11, 2003. Applicant acknowledges the requirement to submit copies of foreign patent documents and non-patent literature in accordance with 37 C.F.R. 1.98(a)(2).

Respectfully submitted,

MICHAEL J. O'PHELAN ET AL.

By their Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
P.O. Box 2938
Minneapolis, MN 55402
(612) 349-9593

Date

8 June 2004

By

Eduardo E. Drake
Reg. No. 40,594

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Name

Amelia M. Luster

Signature

Amelia M. Luster

S/N 10/729,424



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | | |
|-------------|--|-----------------|-------------|
| Applicant: | Michael J. O'Phelan et al. | Examiner: | Eric Thomas |
| Serial No.: | 10/729,424 | Group Art Unit: | 2831 |
| Filed: | December 5, 2003 | Docket: | 279.171US3 |
| Title: | IMPLANTABLE HEART MONITORS HAVING FLAT CAPACITORS WITH CURVED PROFILES | | |

COMMUNICATION CONCERNING RELATED APPLICATION(S)

Mail Stop Amendment
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Alexandria, VA 22313-1450

Applicants would like to bring to the Examiner's attention the following related application(s) in the above-identified patent application:

| <u>Serial/Patent No.</u> | <u>Filing Date</u> | <u>Attorney Docket</u> | <u>Title</u> |
|--------------------------|--------------------|------------------------|--|
| 09/706,517 | November 3, 2000 | 279.235US1 | FLAT CAPACITOR HAVING AN ACTIVE CASE |
| 09/706,576 | November 3, 2000 | 279.268US1 | CONFIGURATIONS AND METHODS FOR MAKING CAPACITOR CONNECTIONS |
| 09/706,579 | November 3, 2000 | 279.271US1 | CAPACITOR HAVING A FEEDTHROUGH ASSEMBLY WITH A COUPLING MEMBER |
| 10/360,551 | February 7, 2003 | 279.378US1 | BATTERIES INCLUDING FLAT PLATE DESIGN |
| 10/758,677 | January 15, 2004 | 279.234US3 | FLAT CAPACITOR FOR AN IMPLANTABLE MEDICAL DEVICE |
| 10/728,655 | December 5, 2003 | 279.168US2 | FLAT CAPACITOR HAVING STAKED FOILS AND EDGE-CONNECTED CONNECTION MEMBERS |

COMMUNICATION CONCERNING RELATED APPLICATIONS

Serial Number: 10/729,424

Filing Date: December 5, 2003

Title: IMPLANTABLE HEART MONITORS HAVING FLAT CAPACITORS WITH CURVED PROFILES

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|------------|-------------------|------------|--|
| 10/736,209 | December 15, 2003 | 279.088US2 | IMPLANTABLE HEART MONITORS HAVING CAPACITORS WITH ENDCAP HEADERS |
| 10/758,701 | January 15, 2004 | 279.234US4 | FLAT CAPACITOR FOR AN IMPLANTABLE MEDICAL DEVICE |

Respectfully submitted,

MICHAEL J. O'PHELAN ET AL.

By Applicants' Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
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Name

Patricia M. Lucke

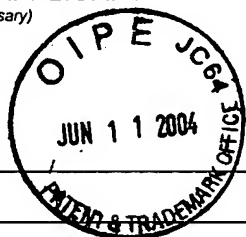
Signature

Michael J. O'Phelan

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)



Complete if Known

| | |
|-----------------------------|-------------------|
| Application Number | 10/729,424 |
| Filing Date | December 5, 2003 |
| First Named Inventor | O'Phelan, Michael |
| Group Art Unit | 2831 |
| Examiner Name | Thomas, Eric |

Sheet 1 of 6

Attorney Docket No: 279.171US3

US PATENT DOCUMENTS

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EXAMINER

DATE CONSIDERED

Substitute Disclosure Statement Form (PTO-1449)

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

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|-----------------------------|-------------------|
| Application Number | 10/729,424 |
| Filing Date | December 5, 2003 |
| First Named Inventor | O'Phelan, Michael |
| Group Art Unit | 2831 |
| Examiner Name | Thomas, Eric |

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Attorney Docket No: 279.171US3

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EXAMINER

DATE CONSIDERED

Substitute Disclosure Statement Form (PTO-1449)

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| Group Art Unit | 2831 |
| Examiner Name | Thomas, Eric |

Sheet 3 of 6

Attorney Docket No: 279.171US3

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EXAMINER

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| First Named Inventor | O'Phelan, Michael |
| Group Art Unit | 2831 |
| Examiner Name | Thomas, Eric |

Sheet 4 of 6

Attorney Docket No: 279.171US3

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| | Application Number | 10/729,424 |
| | Filing Date | December 5, 2003 |
| | First Named Inventor | O'Phelan, Michael |
| | Group Art Unit | 2831 |
| | Examiner Name | Thomas, Eric |
| Sheet 5 of 6 | Attorney Docket No: 279.171US3 | |

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| Group Art Unit | 2831 |
| Examiner Name | Thomas, Eric |

Sheet 6 of 6

Attorney Docket No: 279.171US3

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| Examiner Initials* | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ² |
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